

NOWALSKY & GOTHARD

A Professional Limited Liability Company

Attorneys at Law

LEON L. NOWALSKY
EDWARD P. GOTHARD

1420 Veterans Memorial Blvd.
Metairie, Louisiana 70005
Telephone: (504) 832-1984
Facsimile: (504) 831-0892

March 16, 2017

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12 Street SW
Washington, DC 20554

RE: Combined application for consent to the transfer of control of a business which has Blanket Domestic Interstate 214 Authority – Transfer of Fifty-Percent (50%) of the Membership Interests in Benchmark Communications, LLC from Hunt Telecommunications, LLC to Crescent Affiliates, Inc.

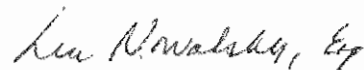
Dear Secretary Dortch:

Please find attached a copy of the Combined Application on behalf of Benchmark Communications, LLC, Hunt Telecommunications, LLC and Crescent Affiliates.

An Application for Special Temporary Authority to allow Benchmark Communications, LLC to operate during the review of this transaction is being filed separately.

Should you have any questions, please feel free to contact me.

Sincerely,



Leon Nowalsky, Esq. *rh*
Counsel for Applicants

LLN/rph

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Benchmark Communications, LLC)	WB Docket No. 17-_____
<i>Licensee</i>)	
)	
<i>And</i>)	
)	
Hunt Telecommunications, LLC)	File No. ITC-T/C-2017_____
<i>Transferor</i>)	
)	
Crescent Affiliates, LLC)	
<i>Transferee</i>)	
)	
Application for Consent to Transfer Control)	
of Company Holding International)	
Authorization and Blanket Domestic)	
Authorization Pursuant to Section 214 of the)	
Communications Act of 1934, as Amended)	

COMBINED APPLICATION

Benchmark Communications, LLC ("Benchmark" or "Licensee"), by and through its sole member, Hunt Telecommunications, LLC ("Hunt") ("Hunt", together with Benchmark, the "Transferors") and Crescent Affiliates, Inc. ("Crescent" or "Transferee") (collectively referred to as "Applicants") hereby request authority pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214 (the "Act"), and Sections 63.04 and 63.24(e) of the Commission's Rules, 47 C.F.R. §§ 63.04, 63.24(e), to transfer control of fifty percent (50%) of the equity interests of Benchmark from Hunt to Crescent. In January, 2014 the Applicants entered into a Membership Interest Purchase

Agreement (the "Agreement"), whereby Crescent acquired a fifty (50%) percent interest in Benchmark from Hunt.¹

Benchmark is a provider of resold local and long distance services, internet access and private cable service to multiple dwelling unit (MDU) properties along the Gulf Coast. Hunt current provides local, long distance, Hosted PBX, VoIP and data services in the State of Louisiana. Crescent Affiliates, Inc. is an investment company located in Metairie, Louisiana and holds no telecommunications licenses. Pursuant to Section 63.04(b) of the Commission's Rules, 47 C.F.R. § 63.04(b), the Applicants are filing a combined application for Commission consent to the proposed transfer of control. The Applicants provide below the information required by Section 63.24(e)(2) of the Commission's Rules, 47 C.F.R. § 63.24(e)(2). *Exhibit A* provides the additional information requested by Section 63.04(a)(6) through (a)(12) of the Commission's Rules, 47 C.F.R. § 63.04(a)(6)-(12).

This transaction will not involve a transfer of operating authority, assets or customers. Benchmark will continue to provide service to its existing customers under existing service arrangements. The proposed transaction, therefore, will be transparent and seamless to Benchmark's customers.

The Applicants respectfully request streamlined treatment of this Application pursuant to Sections 63.03 and 63.12 of the Commission's Rules, 47 C.F.R. §§ 63.03 and 63.12. This Application is eligible for streamlined processing pursuant to Section 63.03(b)(2) of the Commission's Rules, 47 C.F.R. § 63.03(b)(2), because (1) the

¹ Benchmark is a wholly-owned subsidiary of Hunt and pursuant to the terms of the Acquisition, Crescent acquired fifty (50%) percent of Hunt's membership interests in Benchmark. When the Agreement was originally entered into, the Applicants unintentionally failed to request permission from the Commission. An Application for Special Temporary Authority is being filed concurrently herewith.

proposed transaction will result in Hunt (including its affiliates, as that term is defined in Section 3(1) of the Act) having a market share in the interstate, interexchange market of less than 10 percent; (2) Hunt (through Benchmark, including their respective affiliates) will provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction; and (3) neither Hunt, Benchmark, nor any of their respective affiliates are regulated as dominant with respect to any service.

This Application also qualifies for streamlined treatment under Section 63.12 because post-close (1) Hunt is not affiliated with any dominant U.S. carrier whose services Hunt (through Benchmark) may resell; (2) Hunt is not affiliated with any foreign carriers; and (3) none of the other provisions contained in Section 63.12(c) of the Commission's Rules, 47 C.F.R. § 63.12(c), apply.

I. APPLICANTS

A. Benchmark Communications, LLC (FRN 0011618238)

Benchmark Communications, LLC is a Louisiana limited liability company formed in 2006. Benchmark is located at 106 Metairie Lawn, Suite 220, Metairie, LA 70001. Benchmark is a provider of resold local and long distance services, internet access and private cable service to multiple dwelling unit (MDU) properties along the Gulf Coast.

Benchmark was authorized by the Commission under Section 214 of the Act in File No. ITC-214-20041005-00393 to provide international telecommunications services on a global or limited global facilities-based and resale basis. Benchmark will continue to hold its Commission authorizations to provide international services following the transfer of control.

Benchmark is 100% owned by Hunt pre-transaction as is more fully described herein.

B. CRESCENT AFFILIATES, INC. (FRN 0026352435)]

Crescent is a Louisiana corporation formed in Metairie, Louisiana. Crescent is located at 106 Metairie Lawn Drive, Suite 220, Metairie, LA 70001. Crescent is neither authorized to provide telecommunications services in any state nor is it authorized by the Commission under Section 214 of the Act to provide domestic or international telecommunications services.

C. HUNT TELECOMMUNICATIONS, LLC (FRN 0011210416)

Hunt, a Louisiana limited liability company, is located at 106 Metairie Lawn Dr., Suite 200, Metairie, LA 70001. Hunt current provides local, long distance, Hosted PBX, VoIP and data services in the State of Louisiana. Hunt was authorized by the Commission under Section 214 of the Act in File No. ITC-214-20140114-00010 to provide international telecommunications services on a global or limited global facilities-based and resale basis.

II. DESCRIPTION OF THE TRANSACTION

By this Application, the Applicants request approval for the transfer of control of fifty percent (50%) of the Membership Interests of Benchmark from Hunt to Crescent. Pursuant to a Membership Interest Purchase Agreement (the "Agreement"), Crescent will become a fifty (50%) percent owner of Benchmark.

II. PUBLIC INTEREST STATEMENT

The proposed transfer of control described herein will serve the public interest. Benchmark provides resold local and long distance services to residential customers in MDU developments along the Gulf Coast. With the acquisition of fifty (50%) percent of

the membership interests in Benchmark by Crescent, Benchmark will be able to continue to provide high-quality, uninterrupted services to its customers. With the additional business contacts provided by Crescent, Benchmark will both expand its customer base and expand its geographic reach to be better able to serve its customers with domestic and international communications needs. The key senior management and day-to-day management of Benchmark will remain with the company and continue their current responsibilities during such time.

At the same time, the proposed transaction does not present any anti-competitive issues. The transaction will be completely transparent to consumers. Benchmark will continue to provide high-quality communications services to its customers without interruption and without change in rates, terms or conditions. Furthermore, the proposed transaction will not have a negative impact on competition. No existing or potential competitors will be eliminated as a result of the proposed transaction. To the contrary, the proposed transaction will provide Benchmark with greater operational abilities to continue to provide new and current services to its customers, thereby furthering the Commission's policies favoring increased competition and greater diversity and quality of services. This will enable Benchmark to be a more effective competitor in the markets in which it operates, which will further benefit consumers by bringing a diversity of services at competitive prices.

III. INFORMATION REQUIRED BY SECTION 63.24(E) OF THE COMMISSION'S RULES

In support of this Application, the Applicants submit the following information pursuant to Section 63.24(e) of the Commission's Rules, including the information requested in Section 63.18:

(a) Name, address and telephone number of the Applicants:

Licensee:

Benchmark Communications, LLC
106 Metairie Lawn
Suite 220
Metairie, Louisiana 70001
Tel: (504) 293-4000

Transferor:

Hunt Telecommunications, LLC
106 Metairie Lawn
Suite 220
Metairie, Louisiana 70001
Tel: (504) 293-4000

Transferee:

Crescent Affiliates, Inc.
106 Metairie Lawn
Suite 220
Metairie, Louisiana 70001

(b) Licensee:

Benchmark is a limited liability company organized under the laws of the State of Louisiana. Benchmark holds domestic and international authority pursuant to Section 214 of the Act. International authority was granted in File No. ITC-214-20041005-00393.

Transferor:

Hunt is a limited liability company organized under the laws of the State of Louisiana. Hunt holds domestic and international authority pursuant to Section 214 of the Act. International authority was granted in File No. ITC-214-20140114-00010.

Transferee:

Crescent is a corporation under the laws of the State of Louisiana. Crescent does not hold any telecommunications licenses.

- (c) Correspondence concerning this Application should be sent to:

Leon Nowalsky, Esq.
Nowalsky & Gothard, APLLC
1420 Veterans Blvd.
Metairie, LA 70005
Telephone (504) 832-1984

- (d) Benchmark is authorized by the Commission in File No. ITC-214-20041005-00393 to provide international telecommunications services on a global or limited global facilities-based and resale basis.

Responses (e) through (g) are not applicable to this Application.

- (h) Following the transaction described herein, Benchmark will be fifty percent (50%) owned by Crescent.

The following individuals own 10% or more of the equity or voting interests in subject entities:

A. Pre-Transaction Ownership of Benchmark:

Name: Hunt Telecommunications, LLC ("Hunt")
Address: 106 Metairie Lawn, Suite 220
Metairie, Louisiana 70001
Citizenship: United States
Principal Business: Telecommunications
Ownership: 100% direct in Benchmark

Name: Kevin Hunt, an individual
Address: 42068 Fire Tower Road
Ponchatoula, LA 70454
Citizenship: United States
Principal Business: Telecommunications
Ownership: 24% direct in Hunt and indirect in Benchmark

Name: Jason Hunt, an individual
Address: 42068 Fire Tower Road
Ponchatoula, LA 70434

Citizenship:	United States
Principal Business:	Telecommunications
Percentage of Ownership:	24% direct in Hunt and indirect in Benchmark
Name:	Robert Leithman, an individual
Address:	613 Jefferson Avenue Metairie, LA 70001
Citizenship:	United States
Principal Business:	Telecommunications
Ownership:	17.335% direct in Hunt and indirect in Benchmark
Name:	Madeleine G. Leithman, an individual
Address:	613 Jefferson Avenue Metairie, LA 70001
Citizenship:	United States
Principal Business:	Investor
Ownership:	14.701% direct in Hunt and indirect in Benchmark

No other person or entity holds 10% or more of the equity or voting interests in any of the entities.

B. Post-Closing Ownership of Benchmark:

Name:	Hunt Telecommunications, LLC
Address:	106 Metairie Lawn, Suite 220 Metairie, Louisiana 70001
Citizenship:	United States
Principal Business:	Telecommunications
Ownership:	50% direct in Benchmark
Name:	Kevin Hunt, an individual
Address:	42068 Fire Tower Road Ponchatoula, LA 70454
Citizenship:	United States
Principal Business:	Telecommunications
Ownership:	24% direct in Hunt and 12% indirect in Benchmark
Name:	Jason Hunt, an individual
Address:	42068 Fire Tower Road Ponchatoula, LA 70434
Citizenship:	United States
Principal Business:	Telecommunications
Ownership:	24% direct in Hunt and 12% indirect in Benchmark
Name:	Crescent Affiliates, Inc.

Address: 106 Metairie Lawn , Suite 220
Metairie, Louisiana 70001

Citizenship: United States

Principal Business: Investments

Ownership: 50% direct in Benchmark

Name: Mark L. Guidry, an individual

Address: 426 Dorrington Blvd.
Metairie, LA 70005

Citizenship: United States

Principal Business: Investor

Ownership: 50% direct in Crescent, and 25% indirect in
Benchmark

Name: Joan P. Guidry

Address: 426 Dorrington Blvd.
Metairie, LA 70005

Citizenship: United States

Principal Business: Investor

Ownership: 50% direct in Crescent, and 25% indirect in
Benchmark

No other person or entity holds 10% or more of the equity or voting interests in any of the entities.

- (i) Applicants certify that they are not, and following the proposed transaction will not be, affiliated with any foreign carrier within the meaning of section 63.09(d) and (e).
- (j) The Applicants certify that they do not seek authority to provide service to any country described in paragraphs (1) through (4) of section 63.18(j).
- (k) Not applicable.
- (l) Not applicable.
- (m) Not applicable.
- (n) Applicants certify that they have not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.
- (o) Applicants certify that no party to the Application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of

1988.

- (p) This international Section 214 Application qualifies for streamlined processing pursuant to section 63.12 because the applicants are not affiliated with any foreign carriers; are not affiliated with any dominant U.S. carriers whose international switched or private line services the applicant seeks authority to resell; and do not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines. This Application therefore should be granted, pursuant to section 63.12(a), fourteen days after the date of public notice listing this Application as accepted for filing.

IV. INFORMATION REQUIRED BY SECTION 63.04(B) OF THE COMMISSION'S RULES

In accordance with the requirements of Section 63.04(b) of the Commission's Rules, the additional information required for the domestic Section 214 transfer of control application is provided in *Exhibit A*.


V. CONCLUSION

Based on the foregoing, the Applicants respectfully submit that the public interest, convenience, and necessity would be furthered by grant of this Application.

Date: 3-15-17

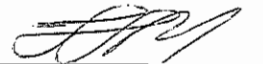
Respectfully submitted,

Benchmark Communications, LLC Crescent Affiliates, Inc.



Leon Nowalsky, Esq.
Nowalsky & Gothard, APLLC
1420 Veterans Blvd.
Metairie, LA 70005

Counsel to Transferee



Leon Nowalsky, Esq.
Nowalsky & Gothard, APLLC
1420 Veterans Blvd.
Metairie, LA 70005

Counsel to Transferor

EXHIBIT A

DOMESTIC SECTION 214 TRANSFER OF CONTROL INFORMATION

In accordance with the requirements of Section 63.04(b) of the Commission's Rules, 47 C.F.R. § 63.04, the Applicants provide the following information in support of their request.

63.04(b)(6): Description of the Transaction

The proposed transaction is described in Section II of the Application.

63.04(b)(7): Description of Geographic Service Area and Services in Each Area

A description of the geographic service areas and services provided in each area is described in Sections I and IV of the Application.

63.04(b)(8): Presumption of Non-Dominance and Qualification for Streamlining

This Application is eligible for streamlined processing pursuant to Section 63.03(b)(2) of the Commission's Rules, 47 C.F.R. § 63.03(b)(2), because (1) the proposed transaction will result in Benchmark (including its affiliates, as that term is defined in Section 3(1) of the Act) having a market share in the interstate, interexchange market of less than 10 percent; (2) Hunt (through Benchmark, including their respective affiliates) will provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction; and (3) neither Hunt, Benchmark, or Crescent nor any of their respective affiliates are regulated as dominant with respect to any service.

63.04(b)(9): Other Pending Commission Applications Concerning the Proposed Transaction

None.

63.04(b)(10): Special Considerations

None.

63.04(b)(11): Waiver Requests (If Any)

None.

63.04(b)(12): Public Interest Statement

The proposed transaction is in the public interest for the reasons detailed in Section III of the Application.

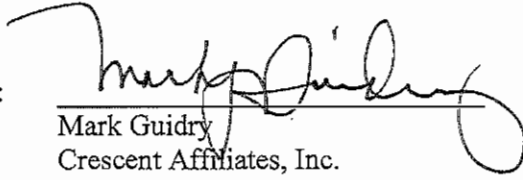
State of LOUISIANA

County of JEFFERSON

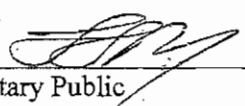
AFFIDAVIT

The applicant below certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

By:


Mark Guidry
Crescent Affiliates, Inc.

Sworn to and subscribed before me this
15th day of MARCH, 2017



Notary Public

My commission expires AT DEATH

LEON L. NOWALSKY
Notary Public, State of Louisiana
My Commission is issued for life
Notary Number : 4339

State of LOUISIANA

County of JEFFERSON

AFFIDAVIT


The applicant below certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

By:



Robert Leithman, Member
Benchmark Communications, LLC
Hunt Telecommunications, LLC

Sworn to and subscribed before me this
15TH day of MARCH, 2017



Notary Public

My commission expires AT DEATH

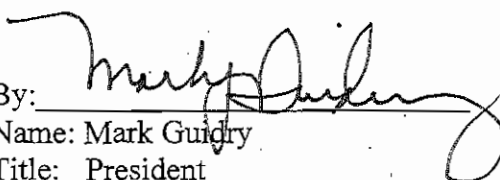
LEON L. NOWALSKY
Notary Public, State of Louisiana
My Commission is issued for life.
Notary Number : 4339

STATE OF LOUISIANA

PARISH OF JEFFERSON

VERIFICATION

I, Mark Guidry, am the President of Crescent Affiliates, Inc. and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By: 
Name: Mark Guidry
Title: President

Sworn to and subscribed before me, Notary Public, in and for the State and Parish named above, this 15th day of MARCH, 2017


Notary Public

My commission expires: AT DEATH


LEON L. NOWALSKY
Notary Public, State of Louisiana
My Commission is issued for life.
Notary Number : 4339

STATE OF LOUISIANA

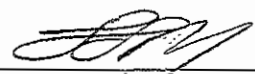
PARISH OF JEFFERSON

VERIFICATION

I, Robert Leithman, am a Managing Member of Hunt Telecommunications, LLC and Benchmark Communications, LLC and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By: 
Name: Robert Leithman
Title: Managing Member

Sworn to and subscribed before me, Notary Public, in and for the State and Parish named above, this 15th day of MARCH, 2017


Notary Public

My commission expires: AT DEATH

LEON L. NOWALSKY
Notary Public, State of Louisiana
My Commission is issued for life.
Notary Number : 4339